

File Personnel


OLL 83-2389
3 October 1983

MEMORANDUM FOR THE RECORD

SUBJECT: Introduced Legislation

1. Attached for your information and review is a copy of S. 1866, which, if enacted, would require the payment of survivor annuities in certain cases involving missing retired federal employees, or members of Congress entitled to receive federal annuities, and other purposes.




2. The Office of Legislative Liaison will follow this legislation and will report on its progress as appropriate.


Liaison Division
Office of Legislative Liaison

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Attachment
As stated

Distribution:

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LD/OLL:  (4 October 1983)

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September 21, 1983

CONGRESSIONAL RECORD — SENATE

S 12635

tion of President Ronald Reagan; ordered to lie on the table.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. PERCY, from the Committee on Foreign Relations, without amendment:

S. Res. 223. A resolution to express the appreciation of the American people for the efforts of the Japanese Government in connection with the Korean Air Lines tragedy.

By Mr. CHAFEE, from the Committee on Environment and Public Works, with an amendment in the nature of a substitute and an amendment to the title:

S. 431. A bill to amend the Clean Water Act, as amended, to authorize funds for fiscal years 1983, 1984, 1985, 1986, and 1987, and for other purposes (with additional and supplemental views) (Rept. No. 98-233).

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. McCLURE, from the Committee on Energy and Natural Resources:

William Perry Pendley, of Wyoming, to be an Assistant Secretary of the Interior.

(The above nomination was reported from the Committee on Energy and Natural Resources with the recommendation that it be confirmed, subject to the nominee's commitment to respond to appear and testify before any duly constituted committee of the Senate.)

By Mr. PERCY, from the Committee on Foreign Relations:

Francis Stephen Ruddy, an Assistant Administrator of the Agency for International Development, to be a member of the Board of Directors of the African Development Foundation for the term of 2 years;

Charles G. Wells, of Illinois, to be a member of the Board of Directors of the African Development Foundation for a term of 4 years;

Patsy Baker Blackshear, of Maryland, to be a member of the Board of Directors of the African Development Foundation for a term of 4 years;

Chester A. Crocker, an Assistant Secretary of State, to be a member of the Board of Directors of the African Development Foundation for the term of 2 years;

William F. Pickard, of Michigan, to be a member of the Board of Directors of the African Development Foundation for a term of 6 years;

Henry F. Schickling, of Pennsylvania, to be a member of the Board of Directors of the Overseas Private Investment Corporation for a term expiring December 17, 1985;

Millicent Fenwick, of New Jersey, for the rank of Ambassador during the tenure of her service as U.S. Representative to the Food and Agriculture Organizations in Rome;

Contributions are to be reported for the period beginning on the first day of the fourth calendar year preceding the calendar year of the nomination and ending on the date of the nomination.

Nominee: Millicent Fenwick.
Post: Rank of Ambassador, U.S. Representative to the Food and Agriculture Organization.

Contributions; amount; date; donee:
1. Self: \$250; 1980 or 1982; Rep. James Jeffords. (R-Vt.).

2. Self: \$1,000; 1982; dinner for President Ronald Reagan.

3. Children and spouses names: Mary and Kenneth Reckford; \$900, joint contribution; 1982; Fenwick: for Senate.

4. Leigh and Hugh Fenwick; \$400, joint contribution; 1982; Fenwick for Senate.

5. Leigh Fenwick: \$200; 1982; Fenwick for Senate. Hugh Fenwick: \$250; 1982; Fenwick for Senate.

6. Brothers and spouses names: None.

7. Sisters and spouses names: None.

Peter Jon de Vos, of Florida, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the People's Republic of Mozambique;

Contributions are to be reported for the period beginning on the first day of the fourth calendar year preceding the calendar year of the nomination and ending on the date of the nomination.

Nominee: Peter Jon de Vos.

Post: Mozambique.

Contributions:

1. Self: None.

2. Spouse: None.

3. Children and spouses names: None.

4. Parents names: None.

5. Grandparents names: None.

6. Brothers and spouses names: None.

7. Sisters and spouses names: None.

Clair W. Burgener, of California, to be a member of the Board for International Broadcasting for a term expiring April 28, 1985;

Malcolm Forbes, Jr., of New Jersey, to be a member of the Board for International Broadcasting for a term expiring April 28, 1986;

Joseph Lane Kirkland, of the District of Columbia, to be a member of the Board for International Broadcasting for a term expiring April 28, 1984;

Arch L. Madsen, of Utah, to be a member of the Board for International Broadcasting for a term expiring April 28, 1984; and

James Albert Michener, of Pennsylvania, to be a member of the Board for International Broadcasting for a term expiring April 28, 1984.

(The above nominations were reported from the Committee on Foreign Relations with the recommendation that they be confirmed, subject to the nominees' commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

By Mr. DOLE, from the Committee on Finance:

Katherine D. Ortega, of New Mexico, to be Treasurer of the United States.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. BENTSEN:

S. 1866. A bill to amend subchapter III of chapter 83 of title 5, United States Code, to provide for the payment of survivor annuities in certain cases involving missing retired Federal employees or Members of Congress entitled to receive annuities under such subchapter, and for other purposes; to the Committee on Governmental Affairs.

By Mr. GRASSLEY:

S. 1867. A bill to provide additional authorizations of appropriations for fiscal years 1983 and 1984 for the surplus commodities program under the Older Americans Act of 1965, and for other purposes; to

the Committee on Labor and Human Resources.

By Mr. RIEGLE (for himself and Mr. LEVIN):

S. 1868. A bill to add \$17,996,558 to the budget ceiling for new acquisitions at Sleeping Bear Dunes National Lakeshore; to the Committee on Energy and Natural Resources.

By Mr. DODD:

S. 1869. A bill to provide assistance to local educational agencies and institutions of higher education to promote computer literacy among elementary and secondary school students and their teachers, and for other purposes; to the Committee on Labor and Human Resources.

By Mr. THURMOND (for himself, Mr.

BIDEN, Mr. GARN, Mr. LAXALT, Mrs. HAWKINS, Mr. DOLE, Mr. ARMSTRONG, Mr. EAST, Mr. D'AMATO, Mr. GRASSLEY, Mr. HATCH, Mr. KENNEDY, Mr. SIMPSON and Mr. SPECTOR):

S. 1870. A bill to amend title 18 of the United States Code to provide penalties for credit and debit card counterfeiting and related fraud; to the Committee on the Judiciary.

By Mr. MELCHER:

S. 1871. A bill to allow all restricted Indian lands to be leased for 99 years with the approval of the Secretary of the Interior; to the Select Committee on Indian Affairs.

By Mr. BAKER (for Mr. STAFFORD (for himself and Mr. BAKER)):

S. 1872. A bill to increase endowment funds for eligible individuals under part C of title III of the Higher Education Act of 1965; read twice and placed on the calendar.

By Mr. HUDDLESTON (for himself, Mr. BURDICK, Mr. SYMMS, Mr. RANDOLPH, and Mr. ZORINSKY):

S.J. Res. 167. Joint resolution proposing an amendment to the Constitution of the United States with respect to the English language; to the Committee on the Judiciary.

By Mr. CRANSTON (for himself, Mr.

BOSCHWITZ, Mr. BRADLEY, Mr. CHAFEE, Mr. CHILES, Mr. D'AMATO, Mr. DECONCINI, Mr. DIXON, Mr. DODD, Mr. DOLE, Mr. DOMENICI, Mr. EAGLETON, Mr. FORD, Mr. GLENN, Mr. GORTON, Mrs. HAWKINS, Mr. HEINZ, Mr. HOLLINGS, Mrs. KASSEBAUM, Mr. KENNEDY, Mr. LAUTENBERG, Mr. LEAHY, Mr. MATSUNAGA, Mr. METZENBAUM, Mr. MITCHELL, Mr. MOVNIHAN, Mr. PERCY, Mr. PROXMIER, Mr. RANDOLPH, Mr. RIEGLE, Mr. SASSER, Mr. SPECTER, Mr. STAFFORD, Mr. TRIBLE, Mr. TSONGAS, Mr. WARNER, Mr. WEICKER, Mr. WILSON, Mr. QUAYLE, and Mr. NUNN):

S.J. Res. 168. Joint resolution to provide for the designation of a month as "National Sickle-Cell Anemia Awareness Month"; to the Committee on the Judiciary.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. BENTSEN:

S. 1866. A bill to amend subchapter III of chapter 83 of title 5, United States Code, to provide for the payment of survivor annuities in certain cases involving missing retired Federal employees or Members of Congress entitled to receive annuities under such subchapter, and for other purposes; to the Committee on Governmental Affairs.

S 12636

CONGRESSIONAL RECORD — SENATE

September 21, 1983

PAYMENT OF SURVIVOR ANNUITIES

● Mr. BENTSEN. Mr. President, today I am introducing legislation providing for the payment of benefits to survivors of retired "missing" Federal employees or Members of Congress. Under current law, the Office of Personnel Management does not have the authority to pay a missing retiree's annuity to the surviving spouse. Further, the OPM cannot begin payment of survivor benefits in a case where a retiree is presumed missing but not officially declared dead. My bill is intended to rectify this situation.

This discrepancy in the law was brought to my attention by one of my constituents, the wife of the Federal retiree missing since October 1980. My constituent's husband, along with a U.S. Army officer, vanished on a flight from Spain to Germany. Upon learning of the retiree's disappearance, the OPM suspended his monthly annuity check. However, in the absence of any official determination of death, the OPM did not commence payment of survivor benefits to his widow. In short, he was dead enough for the OPM to terminate his pension, but not dead enough to allow payment of survivor benefits to my constituent.

Because a civil service annuity earned by an individual is for his own use and is not considered to be a family benefit, it cannot be claimed by living dependents. In addition, the OPM cannot make a determination of death, and requires a death certificate in order to commence payment of survivor benefits. In this particular case, the required certificate of death was to be provided by the Spanish Government, which concluded that there was insufficient evidence to presume death.

By contrast, existing law permits a Government agency to make an official finding of death in the case of a missing Federal civilian employee or active duty member of a uniformed service. The Army officer accompanying my constituent's husband was officially determined dead by the Department of the Army based upon the circumstances surrounding the officer's disappearance. Although these facts were identical to those of the missing Federal retiree, the information was insufficient for the OPM.

Upon learning of the incident, I requested the Government Accounting Office to investigate this discrepancy which allowed the Department of the Army greater discretion than the OPM. The GAO determined that currently, there is neither statutory nor regulatory authority for a Government agency to make an official finding of death in the case of missing Federal retirees. The GAO recommended that statutory authority be given to the OPM to declare the missing person dead and extend protection to the annuitant's dependents.

The OPM concurred with the GAO that statutory authority is needed to resolve this problem and to give the

OPM the necessary mandate. Therefore, I am introducing legislation which would allow a survivor benefit to be paid to any individual who would otherwise be entitled to an annuity in the event of the death of a retired employee. If a missing retiree does not reappear and claim his benefits within 6 months of the date the Office determined him to be missing, the OPM is authorized to commence payment of survivor benefits.

We need a consistent Government policy to protect the rights of dependents of our civil service retirees. For 3 years, my constituent has been unable to receive the survivor benefits to which she is entitled. I hope that the appropriate committees will act swiftly to rectify this situation.●

By Mr. DODD:

S. 1869. A bill to provide assistance to local educational agencies and institutions of higher education to promote computer literacy among elementary and secondary school students and their teachers; to the Committee on Labor and Human Resources.

COMPUTER EDUCATION OPPORTUNITIES

● Mr. DODD. Mr. President, today I am introducing legislation to help equalize computer education opportunities and to upgrade education curricula to include adequate computer use in schools throughout the Nation. This legislation is entitled "The Computer Literacy Act of 1983." Representative TIM WIRTH recently introduced identical legislation in the House of Representatives (H.R. 3750).

The 1980's has been aptly called "The Era of the High Tech Revolution." One critically important, and rapidly expanding, component of this revolution is information technology.

John Naisbitt may not have exaggerated the importance of information technology in his book "Megatrends" when he wrote: "Schools around the Nation are beginning to realize that in the information society, the two required languages will be English and computer."

Although no one can safely predict the full impact of this technological revolution on the Nation's education systems, some problems are already clearly identifiable.

For example, many students in the more affluent schools effectively are being taught to utilize computers as a part of routine classwork. On the other hand, many students in less affluent or less progressive schools are being frustrated by the lack of computer access and computer-literate teachers. This division in educational opportunities may ultimately create a technological caste system within the Nation's schools which we can ill-afford.

In addition, many school officials lack expertise in choosing the hardware and software most suitable for their schools' needs.

To remedy these emerging problems, provisions of the Computer Literacy Act of 1983 allocate funds for the purchase of computer hardware, priority being given to schools with the greatest need; establish teacher training institutes; and authorize new appropriations for the National Science Foundation and the National Institute of Education to research, evaluate, and disseminate information regarding available computer hardware and software. In addition, this legislation includes provisions for the development of "appropriate" computer education programs for use in the classroom.

Computer education need not, and must not, be imposed upon existing curricula at the expense of such basics as English, writing, science, or mathematics. Careful course planning and proper computer software and program development, however, will enhance teaching and learning of many subjects. In addition, through proper computer use, students have an opportunity to develop many skills needed in today's technological era.

The value for students of computer skills recently has been shown in many reports and surveys. One survey regarding the use of computers in the classroom was conducted by the National Education Association (NEA). The NEA survey showed approximately 70 percent of responding teachers favorably reported that students with a good grasp of computer knowledge showed more motivation, improved interest in classwork, increased attention span, and enhanced cognitive learning skills.

The advantages from the development of computer skills are not limited to the classroom. One estimate is that by 1990 approximately 30 million jobs—including such areas as health care services, publishing, telecommunications, business, and manufacturing—will be computer related.

In my opinion, Mr. President, the Federal Government can make a valuable contribution to the Nation's future by improving access to quality computer education. The provisions of the Computer Literacy Act of 1983 provides an appropriate Federal initiative toward this goal.

I ask the full text of the bill be printed in the Record following my remarks.

There being no objection, the bill was ordered to be printed in the Record, as follows:

S. 1869

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Computer Literacy Act of 1983".

TITLE I—ACQUISITION OF COMPUTER HARDWARE PURPOSES

Sec. 101. It is the purpose of this title to authorize assistance to local educational agencies for the acquisition of computer hardware for use in school classrooms in order to promote student competence in the